

REMARKS:

This paper is herewith filed in response to the Examiner's Office Action mailed on September 3, 2009 for the above-captioned U.S. Patent Application. This office action is a rejection of claims 1-29 of the application.

More specifically, the Examiner has rejected claims 1-2 and 12-29 under 35 USC 103(a) as being unpatentable over Jaeger (US6883145) in view of Astala (US6,590,568); rejected claims 3-7 under 35 USC 103(a) as being unpatentable over Jaeger in view of Astala and further in view of Hawkins (US6,781,575); and rejected claims 8-11 under 35 USC 103(a) as being unpatentable over Jaeger in view of Astala and further in view of Leavitt (US20020085037). The Applicants respectfully traverse the rejections.

Claims 1, 13, 19-21, 23-25, and 28 have been amended. Claims 7 and 17 have been cancelled. Support for the amendments can be found at least in page 7, lines 4-7, page 11, lines 3-16, and Figure 4 of the Application. No new matter is added.

Although the Applicants disagree with the rejection of claim 1 the Applicants submit that, in order to further prosecution of the instant application, claim 1 has been amended to recite features similar to claim 7.

Claim 1 as amended recites:

A method, comprising: shifting a first shortcut key with its attached content and functionality to become the content and functionality of a second shortcut key; and shifting the second shortcut key with its attached content and functionality to become the content and functionality of the first shortcut key in one action on a display of an electronic apparatus by performing one drag and drop operation from the first shortcut key to the second shortcut key using a user interface of the electronic apparatus, wherein a drag and drop operation from the first shortcut key to somewhere else on the display other than to the second shortcut key

cancels the shifting of the content and functionality of the first shortcut key.

The Applicants submit that none of the references cited can be seen to disclose or suggest at least where claim 1 recites in part “wherein a drag and drop operation from the first shortcut key to somewhere else on the display other than to the second shortcut key cancels the shifting of the content and functionality of the first shortcut key.”

In regards to the rejection of claim 7, whose features are now similarly incorporated into claim 1, the Examiner appears to apply Asatala as disclosing or suggesting a drag and drop operation. Thereafter, the Examiner simply states “Furthermore raising an object or unclicking the mouse during a drag operation cancels the shifting of the content of any shortcut key. (Microsoft Office Products),” (page 19 of the Office Action). The Applicants disagree with the Examiner.

Although the Applicants do not agree that “Microsoft Office Products” can somehow be combined with the references cited, as appears to be asserted in the rejection, the Applicants submit that a Microsoft Office Product does not operate to cancel a shifting of the content and functionality of the first shortcut key in response to a drag and drop operation from the first shortcut key to somewhere else on the display other than to a second shortcut key, as asserted in the rejection.

The Applicants note that there can not be found in all of Astala any reference to “Microsoft Office Products,” nor can there be found in the rejection any supporting reference for “Microsoft Office Products,” as asserted. Further, the Applicants submit that in a device running a Microsoft Windows operating system, for example, a drag and drop operation of a shortcut to any location on a display of the device appears to result in the shortcut being moved to that location on the display. The Applicant submits that an operation of merely moving a shortcut using a Microsoft product is clearly distinguishable from where claim 1 relates to canceling the shifting of the content and functionality of the first shortcut key.

In addition, the Applicant notes that in the rejection the Examiner has only identified a shifting of

the content of a shortcut key. The Applicants submit that amended claim 1 relates to shifting the content and functionality of a first short cut key to a second shortcut key and visa versa. The Applicants further contend that the Microsoft product identified by the Examiner can not be imputed to perform at least this operation of claim 1.

The Applicants submit that, for at least this reason, the references cited can not be seen to disclose or suggest claim 1 and the rejection should be removed.

Furthermore, the Applicants submit that no drag and drop operation performed in Jaeger can be seen to shift a first shortcut key with its attached content and functionality to become the content and functionality of a second shortcut key, and shift the second shortcut key with its attached content and functionality to become the content and functionality of the first shortcut key.

The Applicants note that Jaeger relates to a hand drawn interface which uses arrows to carry out transactions between, from, and among on-screen objects (col. 1, lines 27-29). In order to support the rejection of claim 1 the Examiner cites where Jaeger discloses an operation resulting from a hand drawn “specialty arrow” used to exchange or swap one or more aspects of two different screen objects (col. 15, lines 54-55 and col. 16, lines 5-20). The Applicants submit that although Jaeger may be seen to exchange or swap aspects of two different screen objects using a specialty arrow, Jaeger clearly can not be seen to relate to exchanging or swapping one or more aspects of two different screen objects by performing one drag and drop operation from a first shortcut key to a second shortcut key, as is asserted in the rejection.

In the rejection the Examiner states that “Jaeger discloses a drag and drop operation (Column 9, Lines 54-59).” However, the Applicants submit that, here, the drag and drop operation in Jaeger is expressly applied to perform a task relating to dragging or moving a selected group of objects over the top of a switch or folder (col. 9, lines 54-56). According to Jaeger, the results of this identified dragging operation are that the objects are placed inside of the switch or folder and the switch takes on the label of the objects (col. 9, lines 57-59). The Applicants submit that this drag

or move operation, as cited in Jaeger, clearly can not be seen to be operable with the exchange or swap operation also cited in the rejection.

The Applicants submits that, as stated above, the exchange or swap of two different objects in Jaeger requires a specialty arrow. In this case, the required specialty arrow is a double headed arrow drawn between the two objects (col. 15, lines 55-57). The Applicants contend that Jaeger fails to disclose or suggest any drag and drop operation which can be seen to replace the required drawing of this double headed with a single drag and drop operation, as is apparently required in the rejection.

Further, the Applicants submit that none of the references can be seen to overcome the shortfalls of Jaeger, as stated above.

The Applicants submit that, for at least the reasons already stated, even if the references were combined, which is not agreed to as proper, the proposed combination would still fail to disclose or suggest claim 1.

The Applicants contend that, for at least the reasons stated, the rejection of claim 1 is improper and the rejection should be removed.

In addition, for at least the reason that independent claims 13, 19, and 23 recite features similar to claim 1, as stated above, the references cited can not be seen to disclose or suggest these claims. Thus, the rejection of all independent claims 1, 13, 19, and 23 should be removed.

Further, for at least the reasons that claims 2-6 and 8-12, claims 14-16 and 18, claims 20-22, and claims 24-29 are dependent upon independent claims 1, 13, 19 and 23, respectively, the rejections of these claims should be removed.

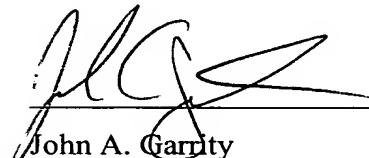
Based on the above explanations and arguments, it is clear that the references cited cannot be seen to disclose or suggest claims 1-6, 8-16, 18-24, and 25-29. The Examiner is respectfully

S.N.: 10/575,053
Art Unit: 2175

requested to reconsider and remove the rejections of claims 1-6, 8-16, 18-24, and 25-29 and to allow all of the pending claims 1-6, 8-16, 18-24, and 25-29 as now presented for examination.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Should any unresolved issue remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted:


John A. Garrity

12/2/2009
Date

Reg. No.: 60,470 Customer No.: 29683

HARRINGTON & SMITH, PC

4 Research Drive Shelton, CT 06484-6212

Telephone: (203)925-9400 Facsimile: (203)944-0245

email: jgarrity@hspatent.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

12/2/2009
Date


Name of Person Making Deposit